

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

BO SHEN, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

EXELA TECHNOLOGIES, INC.,
RONALD COGBURN, JAMES G.
REYNOLDS, AND PAR CHADHA

Defendants.

Case No. 3:20-cv-00691-D

**UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL OF CO-LEAD PLAINTIFF
ELENA SHAMGUNOVA CLAIMS AGAINST DEFENDANTS**

On June 12, 2020, the Court entered an Order appointing Insur Shamgunov and Elena Shamgunova as Co-Lead Plaintiffs in the litigation (Dkt. No. 11). On August 5, 2021, Co-Lead Plaintiffs filed the Second Amended Class Action Complaint against Defendants (Dkt. No. 44) and on February 11, 2022 Defendants filed their Answer (Dkt. No. 61).

Co-Lead Plaintiff Elena Shamgunova no longer desires to pursue her causes of action against Defendants, individually or on behalf of the Class. Pursuant to Fed. R. Civ. P. 23(e) and 41(a)(2), a plaintiff may voluntarily dismiss his or her claims before certification of a class without notice to absent class members or a court order. No class has been certified yet under Fed. R. Civ. P. 23, and Co-Lead Plaintiff Insur Shamgunov continues to pursue claims against Defendants on behalf of himself and the Class, so that the litigation can continue without prejudice to any party resulting from Elena Shamgunova's dismissal.

As such, Co-Lead Plaintiffs respectfully move the Court to enter an order providing that:

1. Elena Shamgunova withdraws her role as a Co-Lead Plaintiff against Defendants subject to the limitations in ¶3 below;
2. Elena Shamgunova relinquishes her role as a Co-Lead Plaintiff for the Class claims against Defendants with prejudice;
3. Elena Shamgunova shall retain her rights as a putative class member; and
4. Co-Lead Plaintiff Insur Shamgunov will continue to pursue the claims at issue, both individually and in his capacity as Court-appointed Lead Plaintiff on behalf of the Class of investors.

Defendants do not oppose the voluntary dismissal of Elena Shamgunova's claims or items 1 through 3 above. Defendants take no position with regarding Insur Shamgunov's continued service as Lead Plaintiff or item 4 above. Defendants otherwise reserve all objections to class certification, including but not limited to any challenges to adequacy, typicality, and predominance.

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Dated: December 19, 2022

Respectfully submitted,

/s/ Kara M. Wolke

Kara M. Wolke

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*Local Counsel for Lead Plaintiffs Insur Shamgunov
and Elena Shamgunova*

CERTIFICATE OF SERVICE

This is to certify that on December 19, 2022, I have filed the above and foregoing on the Court's CM/ECF electronic filing system, and that by virtue of this filing, all attorneys of record will be served electronically with true and exact copies of this filing.

/s/ Kara M. Wolke

Kara M. Wolke